Ministry of
Aboriginal Relations and Reconciliation

2012/13 – 2014/15
SERVICE PLAN

February 2012

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Message from the Minister and Accountability Statement

It's an honour for me to present this service plan for the Ministry of Aboriginal Relations and Reconciliation. The plan lays out the actions the ministry will take over the next three fiscal years to create social and economic opportunities for Aboriginal peoples through collaborative government-to-government relationships.

The ministry will continue to work hard to foster economic growth and job creation for Aboriginal families and communities across British Columbia. This will, in turn, help close the gaps in economic development, education and health care that have for too long separated Aboriginal peoples from other British Columbians.

Across government, we are strengthening our economy to protect and create jobs for families in every region of B.C. The Ministry of Aboriginal Relations and Reconciliation has a key role to play.

Partnerships with First Nations are a vital part of the *BC Jobs Plan*, and have the potential to create major economic benefits across B.C. and new opportunities in Aboriginal communities.

The ministry will continue its work to establish agreements with First Nations that create certainty. While treaties are the right option for some First Nations, we know there are many paths to reconciliation that will bring economic and social benefits to First Nations families and other British Columbians.

We are flexible in our approach and have a range of tools to work with: reconciliation protocols, strategic engagement agreements, economic benefits agreements, revenue sharing agreements and innovative government-to-government agreements based on supporting sustainable Aboriginal communities and families.

We will continue to work in other ways to close the gaps between Aboriginal and non-Aboriginal British Columbians. We will work to build support for the increasing number of Aboriginal people who choose to live in urban areas by developing an off-reserve Aboriginal action plan. We will work with Aboriginal partners, the federal government and local governments to develop a plan that supports education and job training, while preserving cultures and traditions.

As an outcome of the recent Collaboration to End Violence: National Aboriginal Women's Forum with the Native Women's Association of Canada, B.C. has established an Aboriginal Women's Advisory Council to address the risks and socio-economic vulnerabilities that leave Aboriginal women and girls exposed to violence, while working to find solutions to improve the overall quality of life of Aboriginal women across British Columbia.

I am proud of what my ministry has achieved and welcome the opportunities ahead as we engage with First Nations to create jobs and economic opportunities, strengthen families and build a better future for Aboriginal communities across B.C.

The *Ministry of Aboriginal Relations and Reconciliation* 2012/13 – 2014/15 Service Plan was prepared under my direction in accordance with the *Budget Transparency and Accountability Act*. I am accountable for the basis on which the plan has been prepared and for achieving the specific objectives in the plan.

Honourable Mary Polak
Minister of Aboriginal Relations and Reconciliation
February 21, 2012

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Purpose of the Ministry

Working to achieve reconciliation with Aboriginal peoples[1]

Reconciliation involves commitment to healing the relationships between the Province and Aboriginal peoples. It entails the Province working collaboratively with Aboriginal peoples to achieve a better future built on positive and lasting relationships. Reconciliation is a dynamic process that aims to produce long-term social, economic, and cultural advantages for all British Columbians. The Ministry of Aboriginal Relations and Reconciliation is the B.C. Government's lead for pursuing reconciliation with the Aboriginal peoples of British Columbia. The ministry acknowledges that there are many paths to reconciliation and uses a variety of flexible tools and holistic approaches tailored to be responsive to the diverse needs, capacity, priorities and interests of Aboriginal peoples. The ministry's reconciliation efforts are broad and comprehensive, firmly rooted in principles of justice and fairness, and go beyond issues of rights and title.

"Nanwakolas values our evolving partnership with the provincial government. These agreements create an environment in which positive social and economic change can take place, and demonstrate commitment to reconciliation and respect."

"People and businesses in our communities are able to better pursue economic opportunities; and companies who want to do business in our traditional territory will have clear expectations and certainty."

– Dallas Smith, President, Nanwakolas Council

Building relationships and developing strong partnerships

The ministry builds relationships with Aboriginal peoples based on respect and recognition. Partnerships with Aboriginal communities, organizations and people are critical for the success of the *BC Jobs Plan*, and for achieving positive, lasting relationships with Aboriginal peoples whose communities are healthy, prosperous, sustainable and self-determining.

The ministry also plays a key role in promoting creative multi-sectoral and inter-jurisdictional work on Aboriginal initiatives. The ministry works in partnership with Aboriginal communities, organizations and people and brings together representatives from other ministries and Crown agencies, other orders of government, and business and industry to identify new opportunities for economic participation and investment and job creation, which will support the goals of the *BC Jobs Plan*.

[1] Canada's Aboriginal population is distinct and diverse. The *Constitution Act* recognizes the Aboriginal peoples of Canada as the Indian, Inuit and Métis peoples of Canada. "First Nation" is the generally preferred term for Indian peoples of Canada. The term Aboriginal as used throughout this document includes all people of Aboriginal ancestry, including First Nations, Métis and Inuit. The term communities means the diversity of Aboriginal communities as defined by Aboriginal people and includes descriptions such as urban, rural, metropolitan, land-based and reserve. The Ministry of Aboriginal Relations and Reconciliation works with all Aboriginal peoples wherever they may live in British Columbia.

Negotiating lasting agreements that contribute to reconciliation

The ministry negotiates treaties and related agreements with First Nations and Canada. Treaties offer the most comprehensive form of reconciliation agreement. Treaties provide First Nations with significant tools for social and economic development and self-government, and they remove First Nations from the constraints of the *Indian Act*.

In addition to treaties, the ministry leads the negotiation and implementation of provincial land and resource agreements to facilitate various types of opportunities. In the *BC Jobs Plan*, the government commits to ten new non-treaty agreements by 2015. The ministry also negotiates new consultation agreements, which address legal requirements to consult, simplify processes and result in stability for economic development. In addition, the ministry is negotiating a number of revenue sharing agreements with First Nations for forestry, new mines and other major developments. These agreements support First Nations' participation in development and help to facilitate partnerships with proponents. Economic benefit agreements, which combine revenue-sharing and streamlined consultation, create predictability for gas, oil and mining in Treaty 8 territory. Oil and gas consultation process agreements provide equity and revenue-sharing in exchange for process and legal certainty. Land-based agreements have shown success and facilitate immediate opportunities using Crown land.

The Ministry of Aboriginal Relations and Reconciliation makes appointments to a number of agencies, boards and commissions including:

- *New Relationship Trust Board,*
- *BC Treaty Commission,*
- *First Peoples' Heritage, Language and Culture Council,*
- *Haida Gwaii Management Council, and*
- *The First Peoples' Advisory Committee.*

British Columbia's innovative agreements with First Nations create clarity and predictability regarding the respective responsibilities of the Province and First Nations; increase capacity and opportunity in Aboriginal communities; establish partnerships with First Nations that improve the investment climate; provide major economic benefits for British Columbia; and contribute to family and community stability.

In addition, the ministry's eight regional offices provide expert local support for negotiation of non-treaty agreements and implementation of treaty and non-treaty agreements. The regional presence supports conflict resolution, and serves as a liaison with other resource ministries.

The ministry also works with First Nations to improve treaty making through trilateral tables which deal with policy and process challenges to concluding treaties.

Providing leadership and expert advice on policy relating to Aboriginal peoples

The ministry provides industry proponents and natural resource sector staff with strategic advice and best practices on a broad spectrum of issues to improve their ability to work successfully and partner with First Nations. The ministry plays a key role in the ongoing implementation of government's New Relationship with Aboriginal peoples.

The ministry also has responsibility for coordinating strategic activity and reporting annually, on behalf of government, on progress achieved on the *Transformative Change Accord* and the *Métis Nation Relationship Accord*. As such, the ministry supports cross-ministry and cross-government policy frameworks related to Crown-Aboriginal relations, economic development, social sectors (health, education and housing), and language and culture initiatives. In addition, the ministry is responsible for intergovernmental relations and national policy tables on social issues concerning Aboriginal peoples (on- and off-reserve). The ministry also supports and advises line ministries as they develop and implement Aboriginal social and economic policies and programs, such as the new Aboriginal Business Investment Council developed under the *BC Jobs Plan*.

Supporting capacity building in Aboriginal communities

Left to right: Minister Mary Polak, Premier Christy Clark, Chief Robert Hope, BCTC Chief Commissioner Sophie Pierre and MLA Barry Penner at the introduction ceremony of the Yale Treaty legislation in the B.C. legislature.

Social and cultural elements are important factors that enable Aboriginal peoples to take advantage of economic opportunities and improve outcomes for themselves. Economic development initiatives are often hampered by a lack of attention to social infrastructure and the ministry is working closely with Aboriginal partners and across sectors to build capacity on priorities identified by Aboriginal communities. We work with Aboriginal peoples to foster strong governments, social justice and economic resilience. We also support efforts to bring First Nations leaders, business leaders and government together to create the networks and relationships that lead to new opportunities.

Strengthening relationships with the Métis Nation

The ministry continues to work in partnership with Métis Nation BC to achieve the objectives of the *Métis Nation Relationship Accord*. The ministry supports Métis Nation BC's efforts to enhance educational opportunities and to reinforce and regenerate Métis identity, history and culture through education. The ministry's reporting on social and economic indicators for the Métis population now includes improved measurement of progress on the commitments in the accord. Métis are distinct Aboriginal people, with unique languages, history, and cultural traditions. Approximately 30 per cent of British Columbia's Aboriginal population self-identifies as Métis. To increase awareness of Métis culture, the ministry has enhanced content on the New Relationship website by including Métis related accomplishments and stories. http://www.newrelationship.gov.bc.ca/.

Advancing the revitalization of Aboriginal language and culture

There are intricate and mutually reinforcing connections among language, culture and Aboriginal community well-being and sustainability. Language plays both practical and symbolic roles in maintaining and reinforcing cultural identity. The decreasing number of First Nations individuals fluent in native languages signals the loss of an intrinsic expression of shared cultural heritage and affiliation. British Columbia is home to 32 distinct First Nations languages, representing about 60 per cent of all the indigenous languages in Canada. Many of these languages are in danger of extinction within a generation. The ministry supports the revitalization of First Nations' language, heritage, culture and arts through the work of the First Peoples' Heritage, Language and Culture Council. The council develops and administers programs such as the BC Aboriginal Language Initiative, which supports language revitalization through documentation, immersion programs and curriculum development, and the Aboriginal Arts Development Awards Program, which supports emerging Aboriginal artists. In addition, the ministry partners with the First Peoples' Heritage, Language and Culture Council, the New Relationship Trust and the First Peoples Cultural Foundation to deliver language immersion programs among children, youth and elders, and to provide capacity and resource materials for First Nations language speakers and learners.

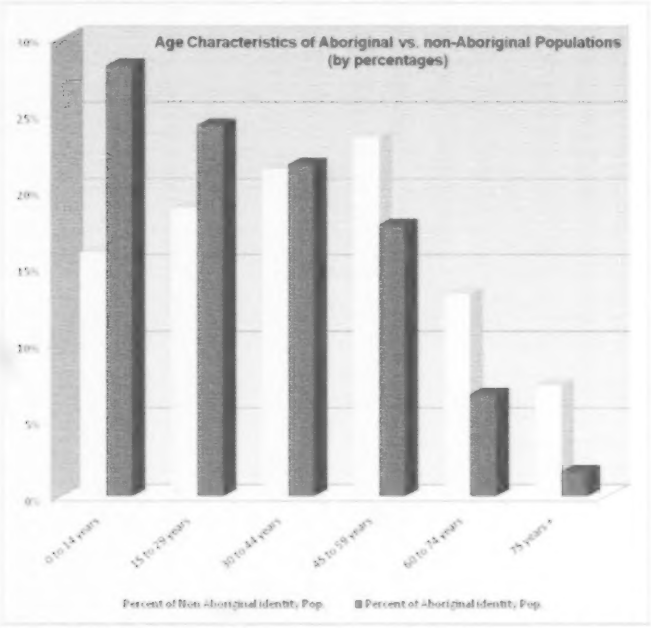
Minister Mary Polak, Minister of Community, Sport and Cultural Development Ida Chong, MLAs Murray Coell and Ben Stewart, members of the First Nations Leadership Council, and President of the Métis Nation BC at the Aboriginal Youth Internship Program completion ceremony in Victoria.

Strategic Context

The Legal Context

The Royal Proclamation of 1763 acknowledged that Aboriginal peoples in Canada possess certain rights and freedoms. Section 35 of the *Constitution Act, 1982* recognizes and affirms existing Aboriginal and treaty rights. Through a number of important decisions, the courts have reinforced that Aboriginal rights and title exist and that these rights must influence the way government operates. The Supreme Court of Canada has stated that the ability of government to infringe those rights is constrained. Governments are legally required to justify infringements of Aboriginal and treaty rights as being required in the public interest.

Demographic and social factors



In British Columbia, the Aboriginal population is characterized by unique demographic qualities that will inform policy and program decisions in the coming years.[2] British Columbia is home to over one-third of the more than 600 First Nations communities in Canada, comprising the most culturally and linguistically diverse groups of Aboriginal peoples in the country. Approximately 200,000 people in the province identify themselves as First Nation, Métis, or Inuit. Between 2001 and 2006, the Aboriginal population in B.C. grew by 15 per cent, more than three times the growth rate of the non-Aboriginal population.[3]

The fastest growing population demographic province-wide is Aboriginal youth. In fact, the median age of the Aboriginal population in British Columbia is approximately 12 years younger than the median age of the province's overall population. The stark differences between the population "pyramids" of Aboriginal and non-Aboriginal populations inform the Province's approach. The B.C. Government engages Aboriginal youth on related provincial policy and program development to seek ways to address their ambitions, and to develop their potential to make important contributions and to accelerate job creation and growth. The ministry is working with youth on initiating and implementing constructive relations between youth organizations and government partners, promoting leadership development in both provincial organizations and First Nations' communities, offering mentorship and providing resources

[2] 2006 Census. Data from BC Stats' *National Household Survey* will be available beginning in 2013.
[3] The increase is due in part to an increase in the number of individuals who self-identify as Aboriginal.

for youth to create their own opportunities. The ministry works with partners from many sectors to focus on youth-identified priorities such as creative technologies, sports and recreation, and traditional arts and culture projects. We also support those who work with youth to develop their engagement skills and help build relationships.

Increasing urbanization is another demographic consideration. The 2006 Census reports that 74 per cent of the Aboriginal population in British Columbia lives off-reserve, with 60 per cent living in urban areas. The Métis are a distinct population and make up a significant portion of the off-reserve populations. The provincial government has committed to working with Aboriginal partners, the federal government and local governments to develop an off-reserve Aboriginal action plan. The plan will support improved coordination of programs and services delivered by the Province, Aboriginal partners, the federal government and local governments. It will reflect a community-driven and multi-stakeholder approach, and will improve employment outcomes, supporting the *BC Jobs Plan*. The off-reserve Aboriginal action plan will also guide ministries and agencies in taking appropriate steps so Aboriginal people residing on- and off-reserve have access to key services (i.e. health, education, housing, and employment).

Negotiation and implementation of agreements, including treaties

Although challenges may exist, innovative approaches, sound planning and solid relationships with First Nations and Aboriginal organizations have made it possible for the ministry to maintain the dynamic energy that has moved parties closer to mutual goals in the last few years. As the number and types of agreements between B.C. and First Nations grow, the ministry will target resources on agreement implementation to meet needs and obligations effectively.

British Columbia remains committed to the negotiation and implementation of agreements, including treaties, as an expression of reconciliation. Treaties and other agreements are important tools for First Nations to develop stable, healthy, resilient communities with governance over treaty lands and resources.

"We need to work together... so that we're actually achieving agreements that get economic benefits on the ground, not just for First Nations. When a First Nation benefits economically, it helps the whole community around them."

– Minister Mary Polak

Likewise, there are a variety of lasting agreements that contribute to achieving reconciliation and create economic opportunities for First Nations. Strategic engagement agreements and economic and community development agreements, for example, represent innovative approaches to streamlining consultation obligations and sharing new resource revenues with First Nations. These agreements help build relationships with First Nations, resolve conflicts, or address concerns associated with development on traditional territories.

Flexible agreements are critical components of reconciliation, intended to address priorities identified by a specific First Nation. This latitude and the breadth of agreement types serve to broaden the definition of reconciliation beyond rights and title and to reinforce the understanding that there are many paths to reconciliation.

Economic Context

The Economic Forecast Council estimates that British Columbia's real GDP grew by 2.2 per cent in 2011 and projects that the rate of real GDP growth will remain at 2.2 per cent in 2012, before increasing to 2.5 per cent in 2013. Risks to British Columbia's economic outlook include a return to recession in the US; the European sovereign debt crisis threatening the stability of global financial markets; slower than anticipated economic growth in Asia dampening demand for B.C. exports; and a weakening of the US dollar disrupting the financial markets and raising the cost of B.C. exports abroad.

The 2008-2009 economic downturn had a longer and deeper impact on the Aboriginal population compared to the non-Aboriginal population. From 2008-2010, employment declines among Aboriginal people were experienced in most provinces or regions, for both men and women of working age. With continued declines in employment among the Aboriginal population, the gaps in unemployment rates widened between Aboriginal and non-Aboriginal people.

The *BC Jobs Plan* seeks to address the effects of the economic downturn by delivering a set of tools and agreements that will also serve to stimulate the economy and investment. These agreements, which include revenue sharing and consultation agreements, will build economic development capacity and provide opportunities for job creation by contributing to a stable investment environment.

The newly developed Aboriginal Business Investment Council will work with Aboriginal communities and the private sector to make recommendations to government on strategies to help foster economic development in Aboriginal communities and increase overall investment in the province. The council will focus on the eight key sectors in the *BC Jobs Plan* – forestry, mining, natural gas, agri-foods, technology, tourism, transportation (marine and aerospace) and international education.

Climate change

The ministry has partnered with First Nations in B.C. to support government's commitment to climate action and green energy initiatives and to generate new economic opportunities. First Nations have been assisted to engage potential sources of technical and financial assistance within government for projects that reduce climate impacts, such as renewable energy developments and greenhouse gas reduction projects.

In April 2011, the ministry launched the First Nations Clean Energy Business Fund (FNCEBF). This fund was created as part of the *Clean Energy Act* to facilitate increased participation of First Nations in clean, renewable energy projects within their traditional territories. Since this fund was launched, the ministry has completed two rounds of intake and committed approximately $1.36 million for capacity and equity funding to 30 First Nations. In 2012/13, the ministry expects to provide an additional $1.75 million in First Nations capacity and equity funding. The FNCEBF will also allow for revenue sharing with successful applicants, based on provincial resource rents, (i.e. land and water rentals), prescribed under the FNCEBF regulation, that result from clean energy projects that receive land or water authorizations after the enactment of the *Clean Energy Act*.

The ministry recently signed a carbon credit-sharing agreement with the Coastal First Nations that is the first of its kind in the province or in Canada. The agreement allows First Nations to sell carbon credits on local and international markets. The Province expects to sign two more carbon credit-sharing agreements in the near future: with the Council of the Haida Nation, and with the Nanwakolas First Nations.

BC Achievement Foundation chair Keith Mitchell, award recipient Vera Edmonds and Minister Mary Polak at the fifth annual British Columbia Creative Achievement Awards for First Nations' Art.

The ministry is also supporting implementation of the provincial climate change adaptation strategy. The strategy calls on government to assess business risks and opportunities related to climate change, where relevant, in planning, projects, policies, legislation, regulations and approvals. Adaptation is a vital part of government's climate change plan. It means taking action now to prepare for a changing climate and its impacts on ecosystems, resources, businesses and communities.

Coordinated Resource Management

Government's structure to manage Crown land and natural resources was reconfigured in the spring of 2011, creating an improved arena for coordination and integration. The ministries involved included: Aboriginal Relations and Reconciliation; Energy and Mines; Environment; Agriculture; Forests, Lands, and Natural Resource Operations; and Jobs, Tourism and Innovation. Under the direction of the Natural Resources Board, these ministries are making bold changes to service delivery in the natural resource sector. This sectoral approach promotes streamlined authorization processes and enhanced access to public services across the province. The reconfiguration facilitates more consistent engagement and consultation with industry, stakeholders, partners and clients. It also enhances inclusion of Aboriginal, economic and environmental considerations into decision making. The ministries are working together to make these improvements and meet the commitments of the *BC Jobs Plan*.

> *"The MABC and our counterparts in industry have been calling for resource revenue with First Nations for some time. We are pleased to see the government moving in this direction. The Province is to be commended on its leadership and implementation of such progressive public policy."*
>
> *"B.C. is breaking new ground in Aboriginal and natural resources public policy, not just in Canada but internationally."*
>
> *– Mining Association of BC*

Goal, Objectives, Strategies and Performance Measures

New Relationships

It's not just about a new relationship. It's about new relationships, very much in the plural – new relationships that lead to self-sufficiency; that provide employment in rural and remote communities as well as large ones and that give hope to young people that they can stay in their communities and raise their families and keep their historic connection to the land where they grew up."

- Premier Christy Clark

Goal: Reconciliation with Aboriginal peoples in British Columbia

Reconciliation is an ongoing process, and rarely straightforward. It requires trust and commitment to overcome stumbling blocks along the way, and a willingness to learn from each other at all stages. Relationships built on mutual respect and recognition are key to making reconciliation possible.

Objective 1: Establish respectful relationships with Aboriginal peoples as a model for all British Columbians.

Strategies

- Work with other provinces, territories, the federal government and national Aboriginal organizations to initiate and coordinate efforts to address issues of mutual interest.
- Facilitate and support collaboration among Aboriginal organizations, all levels of government and the private sector on initiatives aimed at improving social and economic outcomes for Aboriginal peoples.
- Provide advice, guidance and direction to industry in engaging with Aboriginal peoples.
- Prevent critical incidents and resolve issues.

Objective 2: Seek opportunities for early engagement of Aboriginal peoples in initiatives that affect their families and their communities.

Strategies

- Support First Nations' access to land and resource tenures.
- Negotiate and implement agreements with First Nations, including treaties, which contribute to improved social and economic outcomes for Aboriginal peoples.

- Work with the Unified Aboriginal Youth Collective to support Aboriginal youth to develop their capacity and opportunities for engaging with government on issues of importance to them.
- Lead the Province's commitment to ten new non-treaty agreements by 2015, as referenced in the *BC Jobs Plan*.

Performance Measure 1: Strategic agreements

Performance Measure	2011/12 Forecast	2012/13 Target	2013/14 Target	2014/15 Target
Number of completed agreements that support strategic engagement with First Nations, including reconciliation agreements and strategic engagement agreements.	3	4	4	4

Data Source: Ministry of Aboriginal Relations and Reconciliation

Discussion

Through meaningful engagement processes with First Nations, non-treaty agreements focus on ensuring First Nations benefit from and participate in development opportunities, identify areas of common interest and create possibilities to work with First Nations to achieve mutual goals. Specific elements of each agreement are flexible, depending on the parties' objectives, local needs, and relationship history.

- Strategic engagement agreements establish a government-to-government relationship and improve processes for decision making.
- Reconciliation agreements are specifically designed to increase economic and legal certainty for resource and land use, establish a process for shared decision making and create economic opportunities for First Nations communities, building a stronger future for all British Columbians.

Objective 3: Improved social and economic outcomes for Aboriginal peoples.

Strategies

- Work with other ministries to champion access to business venture and economic development opportunities.
- Work with the ministries of Advanced Education and Jobs, Tourism and Innovation to support Aboriginal access to programs and services associated with skills development and training.
- Provide flexible funding to First Nations through various agreements such as economic and community development agreements.

- Participate in the treaty revitalization process.
- Work across government and in partnership with Aboriginal peoples, to implement the *Transformative Chance Accord* and *Métis Nation Relationship Accord* in areas such as education, housing and infrastructure, health, economic development and Crown-Aboriginal relations.
- Monitor and report on activities and progress on meeting the goals of the *Transformative Change Accord* and *Métis Nation Relationship Accord through* two cross-government reports: *Measuring Outcomes* and *New Relationships with Aboriginal People and Communities in British Columbia.*
- Improve data collection and reporting specific to the Métis and off-reserve/urban Aboriginal populations.

Performance Measure 2: Revenue sharing agreements

Performance Measure	2011/12 Forecast	2012/13 Target	2013/14 Target	2014/15 Target
Number of completed revenue sharing agreements with First Nations.	1	2	3	3

Data Source: Ministry of Aboriginal Relations and Reconciliation

Discussion

Resource revenue sharing agreements are agreements between government and potentially impacted First Nations to share revenue on successful major resource development projects within their traditional territories. Economic and community development agreements (ECDAs), which are initiated on a case-by-case basis, are negotiated on such projects as major new mines and mine expansions, and tourism initiatives such as resort developments. Economic benefit agreements (EBAs) are agreements to share oil and gas revenue within First Nations' traditional territory and provide a solid foundation for increased participation in the regional economy. The mining, tourism and oil and gas sectors are important elements of the *BC Jobs Plan*, creating a wide range of jobs across the province that support families, accelerate economic growth and attract investment across the province. Resource revenue sharing agreements enable greater process certainty for the Province, First Nations and industry, shifting all parties into a partnership around a development and solidifying support for project success.

Objective 4: Respectfully reconcile Provincial interests with First Nations' Aboriginal and treaty rights.

Strategies

- Support the conclusion of agreements among First Nations, the B.C. Government and local governments.

- Work across ministries to support Aboriginal peoples' access to programs and services associated with economic development.
- Continue to seek improvements to treaty making through tripartite processes.
- Link economic development agreements to treaty through land transfers for current and future use.

Performance Measure 3: Treaties and related agreements

Performance Measure	2011/12 Forecast	2012/13 Target	2013/14 Target	2014/15 Target
Number of completed treaties, incremental treaty agreements and agreements-in-principle.	2	4	6	6

Data Source: Ministry of Aboriginal Relations and Reconciliation

Discussion

The ministry negotiates and coordinates the negotiation of treaty, treaty-related, and non-treaty agreements to support successful reconciliation and secure a better future for all British Columbians. A treaty is considered to be the most comprehensive form of reconciliation between First Nations and government. Treaty negotiations are complex and take time; treaties address the rights and responsibilities of the Province, First Nations and Canada on matters including land ownership, governance, taxation, financial benefits, and environmental management (including wildlife). Treaties help First Nations achieve stable governance structures, social justice, and economic self-reliance.

Minister Polak, MLAs John Les and Barry Penner, and Seabird Island Indian Band Chief Clem Seymour celebrate the signing of a forestry agreement that will directly benefit the community's social and economic development.

An agreement-in-principle (AIP) is negotiated during the fourth phase of the six-stage treaty negotiation process. The AIP outlines the major points of agreement between the parties on many topics, including land, cash, access, fisheries, wildlife, culture and heritage, governance, and certainty.

Incremental treaty agreements (ITAs) are typically treaty-related agreements that help to build trust and momentum, and allow First Nations to realize benefits before treaties are concluded and implemented. For example, an ITA may allow a First Nation to develop an economic opportunity, provide employment for members or acquire culturally significant land parcels.

The voluntary six-stage treaty process is open to all B.C. First Nations. At every treaty table, three parties, (the Province, the First Nation, and Canada), are represented. The BC Treaty Commission (http://www.bctreaty.net/) has a critical role overseeing the process of treaty negotiations.

Performance Measure 4: Forest consultation and revenue sharing agreements

Performance Measure	2011/12 Forecast[3]	2012/13 Target	2013/14 Target	2014/15 Target
Number of completed agreements under the Forest Consultation and Revenue Sharing Agreement program.	95	107	117	124

Data Source: Ministry of Aboriginal Relations and Reconciliation

[3] Cumulative totals include the 53 FCRSAs that were signed in 2010/11.

Discussion

Forest consultation and revenue sharing agreements allow for sharing of forestry revenues with First Nations based on forest activity in their traditional territories. FCRSAs were launched in the fall of 2010 to replace forest and range opportunity agreements as these latter agreements expire over time. FCRSAs build on the success of previous agreements by combining a meaningful consultation protocol and other commitments with economic benefits for First Nations.

FCRSAs have a three-year term. The new FCRSA revenue-sharing model transitions from the previous per-capita funding to a model based on harvesting activity in a First Nation's traditional territory. As a result, for the first time, First Nation communities will see more direct economic benefits returning from harvest activities taking place in their traditional territory.

FCRSAs directly support the forest sector by streamlining consultation with First Nations through negotiated consultation protocols and commitments by First Nations that improve stability on the land base. Developed in the spirit of the New Relationship, FCRSAs also support the *Transformative Change Accord* objectives; contain linkages to agreements that further reconciliation and progress to treaty; and support jobs and the economy by providing economic benefits to First Nations.

Objective 5: Work with Aboriginal peoples to enhance and build capacity in Aboriginal communities, governments and organizations.

Strategies

- Implement the First Nation Clean Energy Business Fund.
- Lead negotiation of carbon offset-sharing arrangements with First Nations.
- Support governance and capacity initiatives in Aboriginal communities, governments and organizations.
- Provide economic opportunities for communities in supporting implementation.
- Work with First Nations through multi-sectoral partnerships such as Ahp-cii-uk and the Tahltan socio-cultural working group.
- Support Métis governance and capacity development on a tripartite basis.

Performance Measure 5: Capacity building

Performance Measure	2011/12 Forecast	2012/13 Target	2013/14 Target	2014/15 Target
Number of capacity-building opportunities, including two-way job shadowing, work exchanges and sharing of human resource expertise.	N/A	Establish baseline	Increase from baseline	Increase from baseline

Data Source: Ministry of Aboriginal Relations and Reconciliation

Discussion

In January 2012, the B.C. Government signed a Memorandum of Understanding (MOU) with the First Nations Summit Society and the First Nations Public Service Secretariat to enhance the professional capacity of the British Columbia First Nations' Public Service, which is responsible for delivering services for First Nations communities and organizations. The MOU lays the groundwork for opportunities for First Nations and B.C. Government employees to participate in capacity-building opportunities such as short-term work exchanges, job shadowing and human resource development.

The MOU builds on the *BC Jobs Plan* by supporting jobs and job training for Aboriginal people, supports government's Diversity and Inclusiveness Strategy and enhances initiatives such as the Aboriginal Youth Internship Program and the Building Public Service Capacity in Aboriginal Relations strategy.

In 2012/13, a baseline will be established regarding the number of capacity-building opportunities under the MOU. It is anticipated that in subsequent years, the number of such opportunities will increase over the baseline year.

Objective 6: Work across government to support the delivery of programs and services to off-reserve and urban Aboriginal populations.

Strategies

- Work with provincial ministries to identify how to better coordinate programs to improve outcomes.
- Work with provincial ministries, Aboriginal partners, the federal government and local governments to develop an off-reserve Aboriginal action plan.
- Undertake evidence-based research to support the Aboriginal action plan.

Objective 7: Strengthen the Province's capacity to engage effectively with Aboriginal peoples.

Strategies

- Work within government, with First Nations and with First Nations leaders to understand, clarify and seek solutions to issues involving Aboriginal rights and title.
- Coordinate and streamline consultation processes and provide information management systems to government and provincial government partners.
- Provide strategic advice across government and facilitate coordinated consultation strategies for major projects with multi-agency authorizations.

Performance Measure 6: Applied knowledge of Aboriginal peoples

Performance Measure	2011/12 Forecast	2012/13 Target	2013/14 Target	2014/15 Target
Percentage of public service employees who are able to use their knowledge of Aboriginal peoples, histories and cultures to influence their day-to-day work.[3]	59%	Maintain or improve	Improve	Improve

Data Source: Ministry of Aboriginal Relations and Reconciliation

[3] The data is taken from an annual survey of public service employees.

Discussion

In spring 2011, informed by regional engagement sessions with Aboriginal people and public servants, the ministry developed a strategy called Building Public Service Capacity in Aboriginal Relations. The strategy features a new website for public service employees that houses resources and tools to support public service employees in working effectively, respectfully and knowledgably with Aboriginal peoples. The strategy also contains a performance measurement framework, including a survey for provincial public service employees, gauging perceptions of how well the provincial government is working in Aboriginal relations. Survey results provide help the ministry determine whether it is meeting the needs of staff and where to focus its efforts to achieve results.

Minister Polak with Haisla Nation Chief Councilor and chair of the Aboriginal Investment Council Ellis Ross and Deputy Chief Councilor Lucille Harms

Resource Summary

Core Business Area	2011/12 Restated Estimates[1]	2012/13 Estimates	2013/14 Plan	2014/15 Plan
Operating Expenses ($000)				
Negotiations and Regional Operations	13,749	13,708	13,708	13,708
Community and Socio-economic Development	3,867	3,830	3,830	3,830
Strategic Initiatives	13,495	13,316	13,316	13,316
Executive and Support Services	3,899	3,899	3,899	3,899
Treaty and Other Agreements Funding	40,021	40,007	40,873	41,594
First Citizens Fund Special Account	3,649	3,230	3,230	3,030
First Nations Clean Energy Business Fund Special Account	1,350	2,151	2,334	3,206
Total	80,030	80,141	81,190	82,583
Ministry Capital Expenditures (Consolidated Revenue Fund) ($000)				
Executive and Support Services	1	391	1	1
Total	1	391	1	1

1 For comparative purposes, amounts shown for 2011/12 have been restated to be consistent with the presentation of the *2012/13 Estimates*.

Status Report on Treaty Negotiations

Number of First Nations involved in the BC treaty negotiations process:	105
Number of First Nations at Stage 6 (implementation):	6
Number of First Nations at Stage 5 (final agreement):	7
Number of First Nations at Stage 4 (agreement-in-principle):	2
Number of First Nations at Stage 3 (framework agreement):	84
Number of First Nations at Stage 2 (readiness):	2
Number of First Nations at Stage 1 (statement of intent):	0

British Columbia's first contemporary land claims agreement - the Nisga'a Final Agreement - came into effect in 2000. Although not part of the BC Treaty Commission process, Nisga'a negotiations followed the same tripartite procedure and resulted in the first modern-day treaty in British Columbia.

The treaty between the five First Nations of Maa-nulth, Canada and British Columbia took effect on April 1, 2011. Maa-nulth joins the Tsawwassen in stage six of the treaty process, working to implement the provisions of the treaty and address issues as they arise.

Minister Polak listens as Grand Chief Bert Mack, who was chief of Toquaht Nation for 60 years, speaks at the Maa-nulth Treaty's effective date celebration.

Yale First Nation members approved their final agreement in March 2011. The legislation ("Bill 11 – 2011: *Yale First Nations Final Agreement Act*") was introduced in the British Columbia Legislature on May 18, 2011, and passed on June 2, 2011. The agreement now goes through the federal parliamentary process. If Parliament passes its legislation, a date is set by the three parties for the treaty to take effect. The Tla'amin Final Agreement was initialled by Canada, British Columbia and Tla'amin Nation on October 21, 2011. The next step is agreement ratification by Tla'amin members in a vote scheduled for June 2012. K'ómoks membership voted to accept their agreement-in-principle (AIP) in a referendum held on March 26, 2011. BC and Canada must now approve the AIP before the parties sign the agreement.

A challenge for the ministry in concluding treaties has been the federal government's moratorium on negotiation of treaty provisions around fishing due to the Cohen Inquiry. During the delay in final negotiations, the Province is investigating the negotiation of incremental treaty agreements with First Nations as a bridge until negotiations can resume. An incremental treaty agreement is not a replacement for treaty. Rather, it is a pre-treaty agreement which provides treaty-related benefits to First Nations in advance of final agreement. Tla-o-qui-aht First Nations and the Klahoose First Nation have signed incremental treaty agreements.

In response to concerns raised by First Nations and independent external reviews, the Province, Canada and the First Nations Summit have agreed to discuss ways to improve the treaty process to support further progress in negotiations through trilateral tables that deal with subject matters identified by First Nations as barriers to concluding treaties, as well as treaty process issues, including funding. In addition, the ministry and Canada have taken steps to streamline internal approval processes to conclude treaties.

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Hyperlinks to Additional Information

BC Treaty Commission

www.bctreaty.net/index.php

First Peoples' Heritage, Language and Culture Council

www.fphlcc.ca/

Métis Nation Relationship Accord

http://www.gov.bc.ca/arr/social/accord.html

New Relationship

www.gov.bc.ca/arr/newrelationship/down/new_relationship.pdf

New Relationship Trust

www.newrelationshiptrust.ca/

Transformative Change Accord

www.gov.bc.ca/arr/social/down/transformative_change_accord.pdf

A list of statutes that fall under the responsibility of the ministry can be found at:
www.leg.bc.ca/procs/allacts/arr.htm

Definitions of terms related to Aboriginal peoples can be found at:
http://www.gov.bc.ca/arr/index.html